

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:13-cv-00132-MR-DLH

THE UNITED STATES OF AMERICA)
ex rel. AUTOMATION SYSTEM)
INTEGRATORS, INC.,)
)
 Plaintiff,)
)
 vs.)
)
BCE, INC. and GREAT AMERICAN)
INSURANCE COMPANY,)
)
 Defendants.)
)

ORDER

THIS MATTER is before the Court on the Plaintiff's Motion for Partial Summary Judgment [Doc. 39]; Defendant Great American Insurance Company's Motion for Summary Judgment [Doc. 41]; Plaintiff's Motion to Strike [Doc. 50]; and Defendants' Motion for Continuance of Bench Trial [Doc. 53].

The Defendants request a continuance of the January 13, 2014 bench trial in light of the dispositive motions pending in this matter. [Doc. 53].

Upon careful review of the motions filed by the Plaintiff and Defendant Great American Insurance Company [Docs. 39, 41], as well as the responses and replies thereto [Docs. 46, 47, 48, 49], the Court finds that there are genuine disputes of material fact which preclude the entry of summary judgment in favor of any party. Accordingly,

IT IS, THEREFORE, ORDERED that the Plaintiff's Motion for Partial Summary Judgment [Doc. 39] and Defendant Great American Insurance Company's Motion for Summary Judgment [Doc. 41] are **DENIED**.

IT IS FURTHER ORDERED that the Defendants' Motion for Continuance of Bench Trial [Doc. 47] and Plaintiff's Motion to Strike [Doc. 50] are **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed: November 7, 2013



Martin Reidinger
United States District Judge

